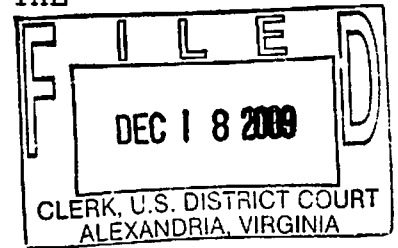


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division



RICHFOOD, INC.)	
)	
Plaintiff,)	
)	
v.)	1:09cv899 (LMB/TCB)
)	
CHARLES C. KIM)	
Defendant.)	

O R D E R

On November 20, 2009, a magistrate judge issued a Report and Recommendation ("Report"), in which she recommended that a default judgment in the amount of \$138,314.11 arising out of various unpaid debts owed the plaintiff for which the defendant was the guarantor, be awarded in favor of plaintiff against the defendant. The parties were advised that any objections to the Report had to be filed within ten days of receipt of the Report and that failure to file timely objections waived appellate review of any judgment based on the Report. As of December 17, 2009, no objections have been filed.

Having reviewed the file and the thorough Report, the Court finds that there is subject matter jurisdiction under 28 U.S.C. § 1332(a)(1) because the parties are completely diverse and more than \$75,000 is at issue. Moreover, venue and personal jurisdiction are appropriate in this district. Defendant was personally served on September 1, 2009 and has failed to respond in any respect to the complaint. The Clerk entered a default on

October 6, 2009.

Finding that the Report accurately describes the facts and applicable law, the Court adopts all the findings and conclusions in the Report as its own and on this basis, it is hereby

ORDERED that plaintiff's Motion for Default Judgment be and is GRANTED, and it is further

ORDERED that plaintiff's proposed Order will be entered.

The Clerk is directed to enter judgment in plaintiff's favor pursuant to Rule 55 and forward copies of this Order and the plaintiff's proposed Order to counsel of record for plaintiff and to defendant at the address listed in the case file.

ENTERED this 18th day of December, 2009.

Alexandria, Virginia

/s/ LMB
Leonie M. Brinkema
United States District Judge